

CITY COUNCIL PROCEEDINGS

Wednesday, March 30, 2011

(Continued from March 29, 2011)

6:00 p.m.

1. CALL TO ORDER AND ROLL CALL

Mayor Osborne called the March 30, 2011 continued meeting from March 15, 2011 to order at 6:00 p.m. in Council Chambers.

Those present were: Mayor Osborne, Deputy Mayor Wilson, and Council Members Ageton, Appelbaum, Becker, Cowles, Gray, Karakehian and Morzel.

Mayor Osborne read a brief statement indicating that staff would be piloting the EventBrite software at its April 5 council meeting. Residents could sign up electronically beginning at 4 p.m. on Friday prior to the meeting and the cut off would be 4:30 p.m. the day of the Council meeting. Residents who showed up in Council Chambers at 5 p.m. the night of the meeting would still be allowed to sign up but move to the end of the list. The speaker order from electronic sign up would be randomized.

ORDER OF BUSINESS

2. PUBLIC HEARINGS:

A. **CONSIDERATION OF A MOTION TO APPROVE THE OPEN SPACE AND MOUNTAIN PARKS WEST TRAIL STUDY AREA PLAN.**

The public hearing on this item was held on March 15, 2011. No additional public comment will be taken.

Mayor Osborne provided a brief introduction to the item, thanking all of those who have shown so much interest and spent time working on the process. She commented that Council's job was to look at the West TSA plan from a broader perspective and ensure groups who may not have been represented were represented in the final plan. While she and her council colleagues understood the opinion that the plan should be adopted as presented, given the extensive process it had already gone through, Council now had the opportunity to amend the plan based on a broader perspective with under-represented constituents in mind. She then outlined how the evening's discussion would take place.

Identification of Open Space Policies, Regulations and Practices that effect the West TSA Plan Recommendations (not part of CCG's Considerations):

Council Member Becker wanted to see a more thorough Environmental Impact Statement or scientific type study for future trail study areas. In addition, she referenced an MOU between the National Park Service and IMBA that was a good model for establishing a cooperative relationship between users. She would like to see more focus on that kind of proactive, collaborative effort.

Council Member Cowles would like to see the Green Tag voice and site program re-vamped, the conditions under which commercial outfitters can use Open Space should be reviewed as well. He would also like to see people and animals required stay on the corridor.

Council Member Gray requested additional study sessions throughout the year; more regional work with the County Commissioners; revisiting the Green tag program (should green tags be for residents only); commercial use (are the principles adopted as part of the Visitor Master Plan still valid and she wanted to see the VMP updated); She wanted to see the Open Space positions filled; and wanted the new ideas to be tied to the CIP program to ensure action; and finally, she suggested looking at fees for parking in certain areas.

Deputy Mayor Wilson thanked everyone who worked on the project. He would like to see a focus on long-term management and raised concern about how to really preserve endangered species. It would be important to discuss how to maintain a quality outdoor experience and avoid open space degradation.

Mayor Osborne echoed Deputy Mayor Wilson's concern about population growth in the region and thought long term planning was critically important. The Green tag program update would be very important and closely tied into the long term planning (maybe green tag was Boulder resident only or must have dog license in Boulder; charge more and have program that pays its own way). Users contribute more to issues raised by dogs on trails. Commercial uses on open space, not just what is charged but other over-use related issues. She agreed with other issues listed by previous speakers.

Council Member Ageton echoed the thanks to everyone involved. Consistency across the entire open space/trails system should be a goal. She agreed with another look at the Green Tag program (Should ask about dog licenses and vaccinations). She supported looking at commercial use/impacts, and requiring people and animals to stay on corridor. She would like to see night time use of open space and its impact on trails and wildlife/nocturnal creatures included. She asked whether penalties for violations on open space were sufficient. She suggested more rationale behind creating proposals for multi-use (i.e. why some areas are designated and others are not). In the long-term, was the City generating any revenue from outside Boulder groups that was commensurate with impact on system and administrative costs.

Council Member Morzel suggested more education and etiquette. Perhaps consider yellow tags for bikes, blue tags for runners, pink tags for walkers etc... Everyone should understand etiquette and increase knowledge of how to enjoy the resource and have similar programs. Why should dog users be the only ones paying into the system. She suggested better signage on trails so visitors know where to go. Expand beyond HCA to natural areas. Generate energy out of dog waste was a great idea. Permit fees needed to be increased. With more than five million visits per year, Boulder residents' enjoyment may be somewhat compromised. Perhaps work with other cities/counties to encourage creating more open space. Don't short change Boulder residents. Consider bike racks at all trailheads. Long distance trails were needed (Boulder to Golden and Boulder to Lyons). Night time use and impacts to wildlife needed to be considered. Recognize multiple bike users (mountain bikes, commuters etc...) and recognize that displacement by hikers, mountain bikes or dogs is real. Needs more than temporal management. Is this all open space's responsibility? Partnerships were needed with Parks and Recreation and Transportation.

Council Member Karakehian was surprised by the amount of use and was his biggest concern including habitat, endangered species and long term planning. When does Boulder say no more? He liked the ideas already mentioned of the green tag program expansion, commercial use, staying on trails, night time use, off trail use in passive recreation and natural areas, parking issues in neighborhoods, and was concerned about for-profit groups. Non-resident use was concerning. Regarding off trail horses, was there an option for alternating use?

Council Member Appelbaum commented that the goal was to protect the resource as much as possible. He was in favor of considering commercial uses and groups, green tags/other tags (long-term management), night time use, temporal management, timeline for completion of projects/CIP projects. He suggested it was time to re-evaluate some of the HCA, natural, recreational boundaries. He also suggested a review of the CCG process (how members are appointed, what are guidelines for the group etc...).

After all council members spoke, each had another opportunity to comment:

Council Member Becker reiterated her desire to see science based decision-making.

Council Member Cowles had nothing more to add, he agreed with all points made.

Council Member Gray also agreed with all the points made. She suggested more study sessions would be helpful to gain additional information as the Open Space department got started on some of these issues.

Deputy Mayor Wilson also agreed with all of the ideas presented and suggested Council let staff and the Open Space Board prioritize and weight the ideas. He would like to see them come back with a weighted priority list.

Mayor Osborne wanted to underline the timeline/CIP/staffing in the Open Space department. She suggested most of the items raised fell under the long term planning options.

Council Member Ageton reiterated that her primary concern was related to user impact and how much use was allowed. She thought the process had been extremely helpful and was comfortable with the ideas presented.

Council Member Morzel agreed with all of the ideas and suggested education efforts go further by coordinating a volunteer effort. She also underlined the importance of full staffing in the Open Space Department.

Council Member Karakehian was comfortable with the ideas presented and had nothing more to add.

Council Member Appelbaum thanked everyone involved and acknowledged that the Visitor Master Plan was a huge accomplishment. He really appreciated that Council was willing to take on the difficult long-range projects. - 7:17 p.m.

WTSA Area-Wide Recommendations (page 5)

Council Member Morzel moved, seconded by Gray to adopt the West TSA area-wide recommendations as outlined on page 5 of the West TSA plan. The motion carried unanimously 9:0 at 7:35 p.m.

Council Member Cowles asked whether staff thought the nighttime curfew statement encouraged people to be on HCA's in the evening. Mike Patton commented it would have little effect. Staff did not have the capacity to do more than encourage people not to use HCA's after dark as it was not prohibited. Peer review showed Boulder was the only system without a nighttime curfew.

Council Member Appelbaum indicated interest in pursuing this issue beyond just the West TSA area.

Council Member Ageton supported comments about night time use. She was okay with the provision but did not want it to be a signal that night time use was okay. She would like more considerations brought back on that system-wide.

Trail Recommendations (pgs 7-34)

Council Member Gray moved, seconded by Morzel to adopt the trail recommendations as outlined in pages 7 through 34 of the West TSA plan. The motion carried unanimously at 8:12 p.m.

Council Member Ageton clarified that no trees would be removed to address site line issues on the Flagstaff trails.

Council Member Appelbaum raised some concern about specific trail areas but would like staff to take another look at some of the social trails that were questionable and were just neighborhood shortcuts with an eye towards whether they were contributing to environmental damage.

Council Member Morzel echoed Council Member Appelbaum's concerns.

Visitor Infrastructure Recommendations (pgs 51-61)

Council Member Karakehian moved, seconded by Wilson to approve the visitor infrastructure recommendations as amended. The motion carried unanimously 9:0 at 8:40 p.m.

Council Member Morzel asked staff to look at where additional parking could be including roads like Telluride Lane, Silverplume, Hardscrabble etc... and suggested that incorrectly posted signs be looked at.

Council Member Appelbaum offered an amendment, seconded by Morzel to explore creating additional public parking opportunities in the Shannahan Ridge area. The motion carried 8:1; Gray opposed.

Mike Patton noted staff could return pretty quickly on the idea to create additional public parking opportunities in the Shannahan Ridge area.

Deputy Mayor Wilson offered an amendment, seconded by Gray to remove the section on page 59 regarding "Additional Horse Trailer Parking Recommendations" and remove the sentence on page 58 under the subtitle Chautauqua/Enchanted Mesa trail that reads "Make best effort and include in the multi-jurisdictional conversation the possibility of using the bus off-loading area for horse trailer off-loading and/or any other horse trailer parking possibilities at Chautauqua." The motion carried 8:1; Becker opposed.

Council Member Cowles offered a friendly amendment to also remove the section adding additional horse trailer parking at South Boulder Creek West. The friendly amendment was withdrawn.

Council Member Cowles offered an amendment, seconded by Appelbaum to remove the section on page 58 "Add horse trailer parking" under the section South Boulder Creek West. The motion failed 4:5; Ageton, Becker, Karakehian, Osborne and Wilson opposed.

Monitoring Program (pgs 63 & 64) – 8:41 p.m.

Deputy Mayor Wilson moved, seconded by Gray to adopt the monitoring program as outlined on pages 63 through 64 of the West TSA Plan. The motion carried unanimously 9:0 at 8:42 p.m.

Recreational Activity Recommendations:

Council Member Gray moved, seconded by Osborne to adopt the recreational activity recommendations as outlined in pages 35 through 39 of the West TSA Plan as amended. The motion carried unanimously 9:0. 11:37 p.m.

Dog Management

Council Member Ageton offered an amendment, seconded by Karakehian to remove the Tenderfoot Chapman loop trail designated as a no dog trail. The motion carried unanimously 9:0. at 8:46 p.m.

Council Member Appelbaum moved, seconded by Wilson to remove the Saddlerock Trail designated as a no dog trail and remove the no dog restriction for lower Greenman referenced on page 40 of the West TSA plan. The motion carried unanimously 9:0. at 8:55 p.m.

Council Member Appelbaum moved, seconded by Ageton to direct staff to look for other opportunities for no dog trails that would have easy trailhead access for families with children, seniors, dog fearful people and preferably with a loop. The motion carried unanimously 9:0. at 9:08 p.m.

Deputy Mayor Wilson noted he was very concerned about the integrity of the prairie on the southern end of the West TSA and wanted to see dogs kept under control in that area. Perhaps there was a need for more than just seasonal closures. That was one of the habitats that was vanishing in the whole front range area. He would like to see it protected for wildlife.

Council Member Appelbaum moved to make the new Greenbriar/Bluestem connector trail as a dogs on leash trail. The motion failed for lack of a second.

Council Member Appelbaum moved, seconded by Ageton to remove the weekend restrictions on upper Bluestem trail. The motion was withdrawn.

Deputy Mayor Wilson indicated that it would be wonderful to see a monitoring program with volunteers from FIDOS helping out.

Horseback Riding – 9:35 p.m.

Council Member Cowles moved, seconded by Wilson to delete the section on page 44 under "Towhee Trail" "with horses allowed on trail." The Towhee Trail section would read "Towhee Trail will be designed for pedestrian use and horses will not be permitted; and from the 1st sentence under "Off Trail Activity" it shall read "horses must remain on trail in Passive Recreation and Natural Areas. Horses not allowed on or off trail in the West Sanitas/Wittemyer area. The motion carried 6:3. Ageton, Becker and Karakehian opposed.

Council Members Appelbaum and Morzel suggested they would like to see the seasonal protected areas changed to year round.

10:06 p.m.

John Putnam with the Open Space Board of Trustees indicated the Board had heard many comments from the horse community. He spoke to the complexities and long standing historical use in the area. Cattle was also allowed in much of the area under discussion. He recommended further study, rather than a firm plan this evening.

Council Member Ageton moved, seconded by Morzel to suspend the rules and continue the meeting at 10:17 p.m. The motion carried 8:0; Karakehian opposed.

Mountain bike riding

Council Member Becker commented that accommodating recreation was an important way to achieve environmental goals. Some of the issues felt generational. She did not like where S2 merged into Mesa. She was confident that mountain bikers had a vested interest in the West TSA and would help ensure it worked. She wanted to try this out and work on enforcement rather than discrimination.

Deputy Mayor Wilson commented that this part of the process disappointed him as it became very heated and acrimonious and was not the Boulder he liked. He acknowledged safety issues around getting bikers to trailheads. He would like to see council direct staff, board and transportation/County to look at how to get people safely to trailheads on bikes.

Council Member Morzel moved, seconded by Gray to amend the mountain biking section on page 47 to look at possibilities to extend the Boulder Creek Path to provide access to the Betasso Preserve consistent with the contents of the Boulder County Parks and Open Space Betasso Preserve Management Plan; and to work with Eldorado State Park, Boulder County and other groups to create a Walker connection as soon as a source of funding is identified. The motion carried unanimously 9:0 at 10:47 p.m.

Council Member Morzel moved, seconded by Gray to suspend the rules and continue the meeting at 10:36 p.m.

Council Member Gray asked about the Board decision on Anemone trail. Bill Briggs with the Open Space Board responded that the Board was split due to limited information. There were two proposed alignments and the existing were not suitable for mountain biking. The Board wanted to look at alternatives and run a public process. Both alignments were still on the table. The Board thought there were other possibilities to make a connection to Fourmile canyon and get to the Betasso connection. Three members of the Board felt it wasn't worth ruling any of those options out.

Patricia Billig with the Open Space Board commented that the nature of the soil on Anemone was very erodible. Due to slope and drainage it would be difficult to build trail. One proposal was to have a mountain bike only downhill trail. The steepness and switchbacks were a concern and a lot of land would be used up to get bikers down the steep slopes. 10:57 p.m.

Council Member Morzel moved, seconded by Ageton to suspend the rules and continue the meeting at 11:33 p.m. The motion carried 8:0; Karakehian opposed.

Council Member Ageton offered an amendment, seconded by Karakehian to direct staff to explore possibilities for a bike loop or bike trail within the Anemone area especially looking at a connection coming in from the Boulder Canyon Bike trail as soon as possible. The motion carried 7:2; Appelbaum and Morzel opposed. 11:21 p.m.

Council Member Karakehian expressed his disappointment with the vilification of mountain bikers. The tone was uncomfortable and when given opportunities to talk they were snuffed out. He wanted to find other ways to get the north-south safe connections.

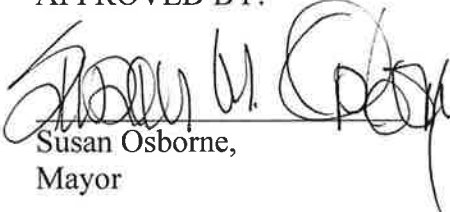
Council Member Gray expressed that comments characterizing Shannahan and Devils Thumb neighbors as NIMBY neighbors was unwarranted. There have been issues regarding access in those neighborhoods for 40 years and Ms. Gray felt these issues came from the initial annexation of these areas and lack of public parking and access amenities.

Council Member Gray moved, seconded by Morzel to approve the West TSA Plan included as attachment A and amended by the Open Space Board of Trustees indicated in attachment C and as amended with the five amendments by the Boulder City Council. The motion carried unanimously 9:0. 11:40 p.m.

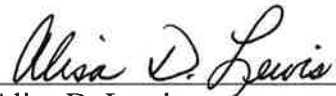
3. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 11:42 P.M.

APPROVED BY:


Susan Osborne,
Mayor

ATTEST:


Alisa D. Lewis,
City Clerk